

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ANDREAS PEFANIS on behalf of himself :  
and all others similarly situated, :

Plaintiff, :

-v- :

WESTWAY DINER, INC., :

Defendant. :  
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08 CIV. 002 (DLC)

PRETRIAL  
SCHEDULING ORDER

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>10-15-08</u>
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DENISE COTE, District Judge:

As set forth at the pretrial conference held on October 10, 2008, the following schedule shall govern the further conduct of pretrial proceedings in this case:

1. By **October 31, 2008**, defendant shall provide the contact information identifying other employees.
2. The parties are instructed to contact the chambers of Magistrate Judge Eaton prior to **January 16, 2009** in order to pursue settlement discussions under his supervision.
3. The deadline for any interested party to opt into the lawsuit shall be **January 30, 2009**.
4. All discovery must be completed by **April 24, 2009**.
5. The following motions will be served by the dates indicated below.

Plaintiff's motion for class certification

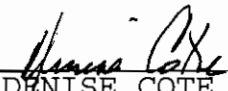
- Motion served by **March 13, 2009**
- Opposition served by **April 3, 2009**
- Reply served by **April 10, 2009**

Any motion for summary judgment

- Motions served by **May 22, 2009**
- Opposition served by **June 12, 2009**
- Reply served by **June 19, 2009**

At the time any Reply is served the moving party shall supply two courtesy copies of all motion papers to Chambers by delivering them to the Courthouse Mailroom, 8th Floor, United States Courthouse, 500 Pearl Street, New York, New York.

Dated: New York, New York  
October 14, 2008

  
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DENISE COTE  
United States District Judge